

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/04786

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1,3-32	as originally filed	
2,2a	with telefax of	28/02/2001

Claims, No.:

1-74	with telefax of	28/02/2001
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Drawings, sheets:

1/3-3/3	as originally filed
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2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/04786

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71, 74
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-74
Industrial applicability (IA)	Yes:	Claims	1-74
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

R Item VIII

Certain observations on the international application

1. The application does not meet the requirements of Article 6 PCT, because claims 1, 7, 9, 29, 32, 43, 46, 50, 65-67 and 74 are not clear.
 - 1.1. Although the product claims 1, 29, 65, 66 and 74 (group I), and the process claims 32, 43, 46, 50 and 67 (group II) have been drafted as separate independent claims, they appear to relate within each single group effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness.

Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

In order to overcome this objection, it would appear appropriate to file an amended set of claims defining the relevant subject-matter in terms of a minimum number of independent claims in each category followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

In this case **one** claim per category would seem appropriate.
 - 1.2. Claims 29 and 74 comprise all the features of claim 1 and are therefore not appropriately formulated as a claim dependent on the latter (Rule 6.4 PCT).
 - 1.3. The term "about" used in claims 29 and 74 is vague and indefinite and, as such, renders the claim unclear (Article 6 PCT). This defect requires amendment of the claim in order to render the features concerned unequivocal.
 - 1.4. It is clear from D3 (cf. page 1371, column 3, bottom: "hanging downwards") that the term 'pendant' is closely associated with a direction, i.e. it concerns the gravitational force acting upon matter. For any groups branching off from a polymer backbone, such as cationic groups, a direction could only indicate their position with respect to the whole or a part of the molecule they are bonded to, but

not in the sense detailed above.

Hence is the term 'pendant' not appropriately used in present claims 1, 7, 9, 32, 43, 46 and 50. In other words: said term is not suitable to delimit the subject-matter of claims 1, 7, 9, 32, 43, 46 and 50 from the prior art and, as such, is unclear.

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: US-A-4 473 474 (AMF INC.) 25 September 1984 (1984-09-25)

D2: US-A-4 601 828 (YALE UNIVERSITY) 22 July 1986 (1986-07-22)

D3: Oxford Dictionary; Oxford University Press 1998 (cf. page 1371); attached to this communication

2. In so far as what can be understood from the claims (but see point VIII above):
The present application does not satisfy the criterion set forth in Article 33 (2) PCT because the subject-matter of claims 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 is not new as defined in the regulations (Rule 64 (1)-(3) PCT).

- 2.1. Document D1 (for citations see the International Search Report and col. 10, line 13 to col. 11, line 31), discloses

- a) a positively charged microporous membrane comprising a hydrophilic porous substrate and a cross linked coating having pendant cationic groups and
- b) a process for its preparation which forms a novelty bar for the process as disclosed by present claims 32, 43, 46, 50 and 67.

It is clear from said process that the charge modifying agents are indeed fixed to a coating (cf. col. 10, lines 25-36).

- 2.2. Insofar the term 'pendant' can be understood (see point VIII, 1.4 above) it is clear that the term "bonded" of D1 (cf. column 10, lines 25-31) and of D2 (cf. column

11, lines 27-34) embraces 'pendant' groups (see as well D1: column 12, lines 1-10; D2: column 12, lines 7-17).

- 2.3. The cross linked polyamides used include polyalkyleneamine and diallylamine copolymers (cf. col. 10, line 59 to col. 11, line 27; col. 21. lines 53-60).
The microporous membrane of D1 is used in processes to remove the same biomolecules as exemplified in present claims 68-71 (cf. col 6, lines 8-25, col. 18, line 20 to col. 19, line 24).
- 2.4. It is an established physical principle that the same materials treated by the same process lead to the same products with identical technical properties.
In accordance with this principle and taking into account the teachings of D1 and the present application one would expect the membranes as disclosed by the present application and D1 to have the same properties including the protein- and nucleic acid binding capacity (cf. present claims 29 and 74).
- 2.5. Thus, as D1 discloses all the technical features defined by the subject-matter of claim 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).
- 2.6. The applicant's attention is further drawn to the fact that document D2 (cf. col. 8, line 34 to col. 9, line 25; col. 9, lines 46-51; col. 10, lines 14-37; col. 11, lines 27-58; col. 13, line 34 to col. 14, line 23; examples), independently from D1, forms a novelty bar for the subject-matter of the same claims 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 of the present application.
- 2.7. Presently it seems that dependent claims 6-28, 30, 33-42, 44, 45, 47-49, 53-59, 64, 72 and 73 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step.

R Item VII

Certain defects in the international application

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/04786

1. The amendments filed with the International Bureau under Article 19(1) introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 19(2) PCT. The amendment concerned is the following:
"or absorb" (claim 67).
2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor is this document identified therein.

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

JAY, Jeremy M.
LEYDIG, VOIT & MAYER Ltd.
700 Thirteenth Street, N.W.
Suite 300
Washington, D.C. 20005
ETATS-UNIS D'AMERIQUE

17-01

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year) 10.05.2001

Applicant's or agent's file reference
440201/PALL

IMPORTANT NOTIFICATION

International application No.
PCT/US00/04786

International filing date (day/month/year)
25/02/2000

Priority date (day/month/year)
25/02/1999

Applicant
PALL CORPORATION et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/



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D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

Fuerbass, C

Tel. +49 89 2399-8132



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 440201/PALL	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/04786	International filing date (day/month/year) 25/02/2000	Priority date (day/month/year) 25/02/1999
International Patent Classification (IPC) or national classification and IPC B01D67/00		
Applicant PALL CORPORATION et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 13 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/09/2000	Date of completion of this report 10.05.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Luethe, H Telephone No. +49 89 2399 7519 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/04786

I. Basis of this report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

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Claims, No.:

1-74	with telefax of	28/02/2001
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EXAMINATION REPORT**

International application No. PCT/US00/04786

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	No:	Claims 1-74
Industrial applicability (IA)	Yes:	Claims 1-74
	No:	Claims

- 2. Citations and explanations**
separate sheet

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A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B01D67/00 B01D61/14 B01D71/56

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B01D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 473 474 A (AMF INC.) 25 September 1984 (1984-09-25) column 13, line 11 -column 14, line 23 column 15, line 57 -column 16, line 25 column 21, line 53 -column 22, line 47 claims 1-13	1-74
X	US 5 151 189 A (GELMAN SCIENCES, INC.) 29 September 1992 (1992-09-29) column 3, line 32 -column 4, line 26 column 5, line 34 -column 6, line 19 column 6, line 60 - line 63 claims 1-38	1-74
A	US 4 601 828 A (YALE UNIVERSITY) 22 July 1986 (1986-07-22) the whole document	1-74

☐ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.*** Special categories of cited documents :**

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

6 June 2000

Date of mailing of the international search report

14/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Luethe, H

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/04786

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 4473474 A	25-09-1984	AU 7678081 A	06-05-1982
		BR 8108849 A	21-09-1982
		CA 1156410 A	08-11-1983
		DE 3168195 D	21-02-1985
		EP 0050864 A	05-05-1982
		IE 51844 B	15-04-1987
		JP 57501855 T	14-10-1982
		JP 63032093 B	28-06-1988
		MX 156009 A	15-06-1988
		WO 8201477 A	13-05-1982
		US 4708803 A	24-11-1987
		US 4673504 A	16-06-1987
		US 4711793 A	08-12-1987
US 5151189 A	29-09-1992	AT 122920 T	15-06-1995
		AU 8713591 A	15-04-1992
		CA 2092708 A	18-03-1992
		DE 69110049 D	29-06-1995
		DE 69110049 T	18-01-1996
		EP 0549706 A	07-07-1993
		JP 6501199 T	10-02-1994
		WO 9204971 A	02-04-1992
		US 5269931 A	14-12-1993
US 4601828 A	22-07-1986	US 4512896 A	23-04-1985
		AU 577276 B	22-09-1988
		AU 2497884 A	30-08-1984
		CA 1207737 A	15-07-1986
		DE 3486231 D	25-11-1993
		DE 3486231 T	14-04-1994
		DE 3486313 D	07-07-1994
		DE 3486313 T	10-11-1994
		EP 0138841 A	02-05-1985
		EP 0343387 A	29-11-1989
		FR 2540629 A	10-08-1984
		IL 70866 A	16-09-1987
		JP 3076868 B	06-12-1991
		JP 60501126 T	18-07-1985
		WO 8403055 A	16-08-1984

FOR THE PURPOSES OF INFORMATION ONLY

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece			TR	Turkey
BG	Bulgaria	HU	Hungary	ML	Mali	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MN	Mongolia	UA	Ukraine
BR	Brazil	IL	Israel	MR	Mauritania	UG	Uganda
BY	Belarus	IS	Iceland	MW	Malawi	US	United States of America
CA	Canada	IT	Italy	MX	Mexico	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NE	Niger	VN	Viet Nam
CG	Congo	KE	Kenya	NL	Netherlands	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NO	Norway	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	NZ	New Zealand		
CM	Cameroon			PL	Poland		
CN	China	KR	Republic of Korea	PT	Portugal		
CU	Cuba	KZ	Kazakstan	RO	Romania		
CZ	Czech Republic	LC	Saint Lucia	RU	Russian Federation		
DE	Germany	LI	Liechtenstein	SD	Sudan		
DK	Denmark	LK	Sri Lanka	SE	Sweden		
EE	Estonia	LR	Liberia	SG	Singapore		

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C.20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 06 October 2000 (06.10.00)	
International application No. PCT/US00/04786	Applicant's or agent's file reference 440201/PALL
International filing date (day/month/year) 25 February 2000 (25.02.00)	Priority date (day/month/year) 25 February 1999 (25.02.99)
Applicant WU, Xiaosong et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

05 September 2000 (05.09.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Maria Kirchner

Telephone No.: (41-22) 338.83.38

PCT

REC'D 15 MAY 2001

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 440201/PALL	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/04786	International filing date (day/month/year) 25/02/2000	Priority date (day/month/year) 25/02/1999
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Applicant PALL CORPORATION et al.		


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- I ☒ Basis of the report
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- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/09/2000	Date of completion of this report 10.05.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Luethe, H Telephone No. +49 89 2399 7519



not in the sense detailed above.

Hence is the term 'pendant' not appropriately used in present claims 1, 7, 9, 32, 43, 46 and 50. In other words: said term is not suitable to delimit the subject-matter of claims 1, 7, 9, 32, 43, 46 and 50 from the prior art and, as such, is unclear.

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D3: Oxford Dictionary; Oxford University Press 1998 (cf. page 1371); attached to this communication

2. In so far as what can be understood from the claims (but see point VIII above):
The present application does not satisfy the criterion set forth in Article 33 (2) PCT because the subject-matter of claims 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 is not new as defined in the regulations (Rule 64 (1)-(3) PCT).

- 2.1. Document D1 (for citations see the International Search Report and col. 10, line 13 to col. 11, line 31), discloses

a) a positively charged microporous membrane comprising a hydrophilic porous substrate and a cross linked coating having pendant cationic groups and

b) a process for its preparation which forms a novelty bar for the process as disclosed by present claims 32, 43, 46, 50 and 67.

It is clear from said process that the charge modifying agents are indeed fixed to a coating (cf. col. 10, lines 25-36).

- 2.2. Insofar the term 'pendant' can be understood (see point VIII, 1.4 above) it is clear that the term "bonded" of D1 (cf. column 10, lines 25-31) and of D2 (cf. column

11, lines 27-34) embraces 'pendant' groups (see as well D1: column 12, lines 1-10; D2: column 12, lines 7-17).

- 2.3. The cross linked polyamides used include polyalkyleneamine and diallylamine copolymers (cf. col. 10, line 59 to col. 11, line 27; col. 21, lines 53-60).
The microporous membrane of D1 is used in processes to remove the same biomolecules as exemplified in present claims 68-71 (cf. col 6, lines 8-25, col. 18, line 20 to col. 19, line 24).
- 2.4. It is an established physical principle that the same materials treated by the same process lead to the same products with identical technical properties.
In accordance with this principle and taking into account the teachings of D1 and the present application one would expect the membranes as disclosed by the present application and D1 to have the same properties including the protein- and nucleic acid binding capacity (cf. present claims 29 and 74).
- 2.5. Thus, as D1 discloses all the technical features defined by the subject-matter of claim 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).
- 2.6. The applicant's attention is further drawn to the fact that document D2 (cf. col. 8, line 34 to col. 9, line 25; col. 9, lines 46-51; col. 10, lines 14-37; col. 11, lines 27-58; col. 13, line 34 to col. 14, line 23; examples), independently from D1, forms a novelty bar for the subject-matter of the same claims 1-5, 29, 31, 32, 43, 46, 50, 51, 60-63, 65-71 and 74 of the present application.
- 2.7. Presently it seems that dependent claims 6-28, 30, 33-42, 44, 45, 47-49, 53-59, 64, 72 and 73 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step.

R Item VII

Certain defects in the international application

1. The amendments filed with the International Bureau under Article 19(1) introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 19(2) PCT. The amendment concerned is the following:
"or absorb" (claim 67).
2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor is this document identified therein.

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 06 October 2000 (06.10.00)	
International application No. PCT/US00/04786	Applicant's or agent's file reference 440201/PALL
International filing date (day/month/year) 25 February 2000 (25.02.00)	Priority date (day/month/year) 25 February 1999 (25.02.99)
Applicant WU, Xiaosong et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
05 September 2000 (05.09.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Maria Kirchner Telephone No.: (41-22) 338.83.38
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